From: Michael Paul Everson

To: Microsoft ATR **Date:** 12/10/01 1:21pm

Subject: Settling With Microsoft

Microsoft has repeatedly abused its position and ignored government restrictions. Their greatest skill has always been the subtlety of their deceit. If the DOJ really wants to make this situation change, it needs exact severe penalties for any transgression. These penalties need to be clearly defined so that we don't just end up back in court.

Microsoft must be forced to separate their operating system and application businesses. While these can exist in the same company the information exchange between these department must be in the public record. Too often in the past Microsoft has used its time to market advantage from deals worked out between these groups. Given the dominance of the Windows operating system, this must be enforced for the benefit of the market as a whole.

There must also be a mechanism for third-parties to request enhancements that there products require. The review of these requests must be made in a public forum to make sure they are given equitable consideration.

While the economy is in a slump right now, we cannot sacrifice the future of our technology for a quick fix. The freedom to innovate and have equitable access to the market is essential to our continuing prosperity.

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